

REMARKS

Claims 1-7 and 9-13 are pending. Claims 1 and 9, the only independent claims, have been amended. Claims 8 and 14 have been cancelled without prejudice.

The drawings were objected to because they contained reference numerals 60 and 80 not mentioned in the specification. In lieu of amending the figures, Applicant has amended the specification to refer to those reference numerals, without adding new matter. This amendment is believed to obviate the objection to the drawings and it is requested that the objection be withdrawn.

The abstract was objected to as allegedly containing legalese. Applicant traverses. The abstract is in idiomatic English and simply using the word thereby, a perfectly proper English word, used in its usual manner, does not in any way render the language legalistic. Since there is no basis for the objection, Application declines the invitation to change the abstract.

Claims 1, 3 and 6-9 were rejected under 35 U.S.C. § 102(a) as anticipated by U.S. Patent 6,571,279 (Herz et al.). Claims 2, 4, 5 and 10-14 were rejected under 35 U.S.C. § 103 as obvious from Herz et al. in view of U.S. Patent 5,627,549 (Park).

Amended claim 1 is directed to a regional information distribution system for use in distributing regional information to consumers through a communication network. The system includes: an information input terminal for making advertising data designating regions where the advertising data are distributed; a concentrated management server which is connected with the information input terminal through the communication network and which manages the advertising data; a regional distribution server which is connected with the concentrated management server through the communication network and which is integrated with a radio base station located per each region where the advertising data are

distributed and which distributes the advertising data to a handy terminal existing within the area of the radio base station; and a support server for distributing the advertising data in place of the regional distribution server, when load is concentrated on the regional distribution server.

Among the features of claim 1 neither taught nor suggested in the art of record is the provision of a support server that distributing the advertising data in place of the regional distribution server, when load is concentrated on the regional distribution server.

In the rejection of now cancelled claim 8, the position was taken that Herz teaches the recited support server. This not correct. The portions of Herz alleged to teach this feature actually do not relate in any way to the function of the recited support server. In fact, those portions of Herz refer to a prior concept of using a pseudonymity proxy server used to protect the identities of users, *not* to take up excess load in the system.

Further, the statement in the Office Action that “the use of proxy servers implies support servers for the management and distribution servers” is incorrect since both Herz and the prior patent that originally taught the use of pseudonymous proxy servers make clear that they have the function of preserving privacy. There is no teaching or suggestion of these servers acting in a manner corresponding to the recited support servers.

For at least the foregoing reasons, amended claim 1 is believed clearly patentable over Herz. Park relates to dual channel advertising referencing a vehicle’s location, but does not remedy the above-identified deficiency of Herz as a reference against amended claim 1.

Amended independent claim 9 is a method claim substantially corresponding to claim 1 and is believed patentable for substantially similar reasons.

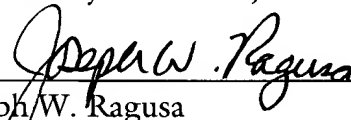
The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same

reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

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Respectfully submitted,

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